

STATE OF SOUTH CAROLINA	}	IN THE COURT OF COMMON PLEAS
	}	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY	}	2022-CP-26-_____
	}	
Rachelle Zacharias,	}	
	}	
Plaintiff,	}	S U M M O N S
	}	
vs.	}	JURY TRIAL DEMANDED
	}	
Walmart Inc.,	}	
	}	
Defendants.	}	

TO THE DEFENDANT ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, of which a copy is herewith served upon you, and to serve a copy of your answer to the Complaint on the subscriber at Post Office Drawer 1829, Conway, South Carolina 29528, within thirty (30) days after the service hereof, exclusive of the day of such service; and if you fail to answer the Complaint within the time aforesaid, the Plaintiff(s) in this action will apply to the Court for the said relief demanded in the Complaint.

TO INFANT(S) OVER FOURTEEN YEARS OF AGE (AN IMPRISONED PERSON):

You are further summoned and notified to apply for the appointment of a Guardian ad Litem to represent you in this action within thirty (30) days after the service of this Summons and Notice upon you. If you fail to do so, application for such appointment will be made by the Plaintiff herein.

TO INFANTS(S) UNDER FOURTEEN YEARS OF AGE (INCOMPETENT OR INSANE) AND TO (GENERAL OR TESTAMENTARY GUARDIAN) (COMMITTEE) WITH WHOM (S)HE/(THEY) RESIDE(S):

You are further summoned and notified to apply for the appointment of a Guardian ad Litem to represent said infant(s) under fourteen years of age (said incompetent or insane person) within thirty (30) days after the service of this Summons and Notice upon you. If you fail to do so, application for such appointment will be made by the Plaintiff(s) herein.

November 4, 2022
Conway, South Carolina

s/Jeffrey E. Johnson
Jeffrey E. Johnson, Esq.
S.C. Bar No. 16835
Post Office Box 1829
Conway, SC 29528
Tel: (843) 488-5333
Fax: (843) 488-4290
Attorney for Plaintiff

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)
)
Rachelle Zacharias,)
)
Plaintiff,)
)
v.)
)
Walmart Inc.,)
)
Defendant.)
)

IN THE COURT OF COMMON PLEAS
FIFTEENTH JUDICIAL DISTRICT
Civil Action No.: 2022-CP-26-_____

COMPLAINT

(Jury Trial Demanded)

The Plaintiff, complaining of the Defendant, would respectfully show unto this honorable Court as follows:

1. Upon information and belief, Defendant Walmart is a foreign corporation organized and existing under the laws of one of the states of the United States, other than the State of South Carolina. Defendant owns property and transacts significant business in the County of Horry, State of South Carolina, and that jurisdiction and venue are proper.

2. This Court has jurisdiction over these matters based upon Article V of the South Carolina Constitution, *S.C. Code Ann.* §§ 36-2-802 and 36-2-803 (Law. Co-op. 1976) and its plenary powers.

3. On or about July 9, 2021, Plaintiff was shopping at the Walmart Store #643 located on Kings Road, in Myrtle Beach, South Carolina. Plaintiff was at the checkout register when she noticed her eggs were cracked. The cashier told her she could retrieve another carton of eggs. Plaintiff left the checkout registers near the grocery entrance of the store and began to walk toward the dairy section. On the way to her destination, through no fault of her own, she slipped on a wet and slippery substance on the floor which caused her to fall to the ground in a violent manner.

4. The Plaintiff was an invitee on Defendant's premises. Defendant owed the Plaintiff the duty to discover and warn of dangerous conditions on the premises and thereafter make them safe, which Defendant failed to do.

5. The Defendant knew or should have known that a dangerous condition existed.

6. Upon information and belief, the Defendant was further negligent, careless, wanton, and willful in the time and place above-mentioned, and acted with a reckless disregard for the rights of Plaintiff, in the following particulars:

- a. In failing to keep the floors safe for customers;
- b. In failing to provide safe conditions for customers;
- c. In failing to adequately discover and correct any dangerous conditions which existed;
- d. In failing to adequately warn customers that a dangerous condition existed;
- e. In failing to properly train or supervise their employees so as to prevent dangerous conditions from existing;
- f. In failing to properly staff the store;
- g. In failing to properly service and maintain the floors of the store;
and
- h. In such other and further particulars as the evidence at trial might show.

7. By reason and in consequence of the aforesaid acts and/or omissions of the Defendant, Plaintiff suffered injuries to various parts of her body including her left knee, right knee, right hip, low back, right groin, right leg, and left leg as well as other parts of her body. The muscles, nerves and sinews of her body were stretched, torn, bruised and damaged; she suffered a limitation of movement of her body and her injuries were of such nature as to require her to expend monies for hospitalization, doctors' care, surgeries, physical therapy, and other medical necessities; she had to ingest prescription medications, pain relievers, as well as other medications; that at all times since the happening of the accident, Plaintiff has suffered and will continue to suffer great pain and mental anguish, all to her injury and damage in an appropriate amount

8. The Plaintiff is informed and believes that she is entitled to a judgment against Defendant for actual damages, a reasonable sum for punitive damages, the costs of prosecution of this action, prejudgment interest, and such other and further relief as the Court may deem just and proper all in an amount the trial jury deems necessary and proper. All or any one of the particulars enumerated above were the direct and proximate cause of the injuries and damages suffered by the Plaintiff.

WHEREFORE PLAINTIFF PRAYS:

1. For judgment against the Defendant in a sum sufficient to adequately compensate Plaintiff for actual damages plus such punitive damages as the trial jury may deem just and proper.
2. For the costs and disbursements of this action.

3. For such other and further relief as this Honorable Court may deem just and proper.

Respectfully Submitted,

s/Jeffrey E. Johnson

Jeffrey E. Johnson

SC Bar No: 16835

Jeff Johnson Law

P.O. Drawer 1829

Conway, SC 29528-0890

Phone: (843) 488-5333

FAX: (843) 488-4290

Attorney for Plaintiff

November 4, 2022
Conway, South Carolina

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STATE OF SOUTH CAROLINA

COUNTY OF HORRY

Rachelle Zacharias,

PLAINTIFF,

-VS-

Walmart Inc.,

DEFENDANTS.

] IN THE COURT OF COMMON PLEAS
] FIFTEENTH JUDICIAL CIRCUIT

] CIVIL ACTION NO.: 2022-CP-26-07025

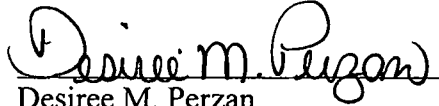
] **CERTIFICATE OF SERVICE**
] Certified Mail-Return Receipt

The undersigned hereby certifies he/she is an employee in the office of Jeff Johnson Law and is a person of such age and discretion as to be competent to serve papers.

That on the date set forth below he/she served a copy of the below described documents by placing said copy in a postpaid envelope (Certified Mail – Return Receipt Requested) addressed to the person(s) hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Conway, South Carolina.

DOCUMENTS: **Summons and Complaint**

ADDRESSEES: CT Corporation System
Registered Agent for Walmart Inc.
2 Office Park Court, Suite 103
Columbia, SC 29223


Desiree M. Perzan
Paralegal to Jeffrey E. Johnson

November 21, 2022
Conway, South Carolina